



ARIZONA BOARD OF OCCUPATIONAL THERAPY EXAMINERS

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Regular Session Minutes

January 20, 2012

Board Members Present: Rebecca Grabski, OTA, Chair
John Tutelman, Vice – Chair, Public Member
Laura Beckman, OTR Member
Christine Feltman Rosenberg, OTR Member

Staff Present: J. Randy Frost, Executive Director
Vicki Egurrola, Administrative Assistant

Legal Representative: Montgomery Lee, Assistant Attorney General

Call to Order

The regularly scheduled meeting of the Arizona State Board of Occupational Therapy Examiners was called to order at 1:30 p.m. Rebecca Grabski, Chair, presiding.

Roll Call

All Board members were present.

Approval of Minutes

Regular Session Minutes December 9, 2011

John Tutelman moved to approve the December 9, 2011 regular session meeting minutes as presented. Christine Feltman Rosenberg seconded the motion. The motion passed 4-0.

Declaration of Conflicts

Rebecca Grabski recused herself from agenda item 6 (b) (1)

Review Meeting Schedule

The Board reviewed the meeting schedule for:

- a. February 10, 2012
- b. March 9, 2012
- c. April 20, 2012
- d. May 11, 2012

There were no conflicts with the current meeting schedule.

a. Initial Review of New Complaints

Kerry Deering 11-OT-0104, The Board reviewed and discussed several complaints filed against Kerry Deering. Mr. Deering and his attorney James Cool appeared before the Board and answered the Boards questions. The Board also heard from the complainants. After much discussion with Mr. Deering and the various complainants, Board Chair, Rebecca Grabski moved to go into Executive Session for legal advice. Laura Beckman seconded the motion. Motion passed 4-0. Upon return to open session, the Board determined that the testimony presented by the complainants warranted the Board opening up a formal complaint against Mr. Deering. John Tutelman moved to open the formal complaint against Mr. Deering to be heard at the March 9, 2012 meeting. Laura Beckman seconded the motion. Motion passed 4-0. The Board directed Staff to contact additional witnesses and invite them to attend the March meeting.

b. Open Complaints/Investigations

Administrative Hearing Dena Hargis

Time: 1:30 p.m.

Complaint # 11-OTA-1999

John Tutelman, Vice - Chair, opened the hearing by stating that this is the date, time, and place where the matter dealing with Complaint # 11-OTA-1999, Dena Hargis, is scheduled to be heard by the Arizona Board of Occupational Therapy Examiners.

Board Members present for the Hearing: John Tutelman, Laura Beckman and Christine Feltman Rosenberg. Rebecca Grabski, Chair, recused herself.

John Tutelman, Vice - Chair, stated; Let the record show that the Board Members have been furnished with copies of the following:

1. The Complaint and Notice of Hearing
2. All pleadings of record

John Tutelman, Vice - Chair, asked the parties to identify themselves.

Montgomery Lee, Assistant Attorney General, representing the state was present.

Mary Jo Foster, Solicitor General, representing the Board was available by telephone.

Dena Hargis, respondent, was not present.

The Board determined that Ms. Hargis had been sent the notice of the hearing and that the hearing would continue.

John Tutelman, Vice - Chair, read the opening statements concerning the proceedings of the hearing.

John Tutelman, Vice - Chair, swore in the witnesses, Robert Herrmann, Lisa Herrmann, and Randy Frost.

Montgomery Lee, Assistant Attorney General, asked that his documents be admitted as evidence.

John Tutelman, Vice - Chair, asked Mr. Lee if he would like to make an opening statement. Mr. Lee made a brief opening statement.

John Tutelman, Vice – Chair asked Mr. Lee if he would like to call his first witness.

Mr. Lee called Arizona Board of Occupational Therapy Examiners Executive Director, Randy Frost. Director Frost answered questions concerning the evidence.

Mr. Lee then called the complainant, Mr. Robert Herrmann. Mr. Herrmann answered questions concerning the evidence.

John Tutelman, Vice - Chair, stated that this concludes the evidentiary portion of the hearing.

John Tutelman, Vice - Chair, asked Mr. Lee if he would like to make a closing statement.

Mr. Lee stated that the factual allegations have been proven. Mr. Lee stated that the respondent did violate Board statutes and rules.

John Tutelman, Vice - Chair, stated at this time the Board would discuss the case.

On motion by Ms. Beckman and seconded by Ms. Feltman-Rosenberg, the Board unanimously agreed to adopt the factual allegations in the Complaint as findings of fact.

On motion by Mr. Tutelman and seconded by Ms. Beckman, the Board unanimously agreed to adopt all of the alleged violations set forth in the Complaint as the Board's conclusions of law.

John Tutelman, Vice - Chair, stated that the Board would now consider the Board's Order.

On motion by Ms. Beckman and seconded by Ms. Feltman Rosenberg, the Board unanimously agreed to revoke Ms. Hargis' license. A roll call vote was taken. (Mr. Tutelman – aye, Ms. Feltman Rosenberg – aye, Ms. Beckman – aye.)

John Tutelman, Vice - Chair, concluded the formal hearing.

c. Complaint Action Status Report

The Board discussed the Complaint Action Status Report of the following licensees:

1. Susan Nesbit, 09-OT-4090, No Change as of 1/9/11. The Board directed staff to make a final attempt to contact the Attorney General's Office.
2. Donna Montgomery, 11-OT-2812, Board staff reported that Ms. Montgomery has signed her consent agreement and that she is searching for classes.
3. Melanie Conaster, 11-OT-3009, Board staff reported that Ms. Conaster has submitted her missing monthly documentation.

Substantive Review, Discussion, and Vote Re: Applications for Licenses as Follows:

a. Initial Application

Diana Benjamin	Jamee Brownlee	Kimberly Bryze
Dori Bunker	Teresa Cheng	Gatherine Clark
Lauren Cunningham	Alison DeLaMontaigne	Flaget Dube
Melissa Gardner	Laura Harley	Amanda Jackson
Divina Cecilian Jacobe	Marie McIntyre	Allison Miller
Pamela Parker	Danielle Reuben	Lisa Rigazio
Erin Rogge	Pamela Schmidt	Christopher Scybert
Revette Shahara	Samuel Spearin	Sarah Spearin
Tami Wiesenhofer	Cindy Woodings	

Rebecca Grabski moved to approve all of the 26 initial applications listed. John Tutelman seconded the motion. The motion passed 4-0.

b. Renewal of Licenses

Jane Aitken	Carolee Anglehart	Shirley Auchincloss
Nancy Baldwin	Heather Baumgartner	Carol Blanc
Lynn Bradway	Andrea Brennan	Barbara Brown
Scott Brown	Jenna Burningham	Denise Casey
Jordan Chitwood	Cynthia Claus	Deborah Clemmensen
Lori Coey-Ritter	Ariel Coffey	Robert Cohalla
Cindy Craver	Lisa Cummings	Judy Davis
Sunny De Baun	Eugene Dekhtyar	Vicki DiRoma
Ann Dislvestro	Pamela Ellis	Robert Eliss
Clarissa Ellison	Tara Finney	Kimberly Fitzpatrick
Jennifer Fraley	Suzanne Funk	Amy Gallagher
Marilyn Gibbs	Michelle Gollobit	Kimberly Graef
Carrie Grant	Amy Greenway	Alfredo Guerrero
Tracy Haakenson	Angela Hacker	Donna Hannah
Marilyn Harrison	Debra Hines	Raymond Hucke
Edna Huddleston	Sharran Huynh	Joan Jackson
Lynette Jamison	Constance Johnson	Gwendolyn Johnson
Iman Johnson	Kimberly Johnson	Amanda Juarbe
Nancy Kashman	Nicole Keefe	Diane Koble
Margaret Kolega	Valerie Korczyk	Kun-Yen Kuo
Patricia Lamb	Gretchen Lamberth	Michele Laplante
Geraldene Larrington	Patrick Lavelle	Kharah Lombardi
Sharon Lorenz	Catherine Loveland	Judy Lubbers
Kim Martin	Helen Marx	Pamela Matlin
Pamela Mayrsohn	Michelle Mcardle	Fiona Mcculloch
Laurie Mering	Patricia Mezey	William Michaels
Barbara Middendorf	Sibongile Mnguni	Siyanda Mquqwana
Jennifer Mulford	Kellie Murphy	Krista Murphy
Laurie Nash	Deborah Newsom	Margery Nothnagel
Sharon Oldfield	Stephanie O'Leary	Lorraine Paquette
Essie Patterson	Ruth Peer	Joan Peet
Emily Pennington	Alex Pereda	Michael Petkovic
Molly Pilcher	Sheila Powell	Irene Radillo-Diaz

Sandra Rallo	Sheri Raven	Mark Ritter
Tara Rivera-Armstrong	Patricia Rogers	Susan Scott
Wendy Scott	Alyca Sheen	Eileen Shores
Danette Sillaman	Kathryn Smith	Judith Sorenson
Sandra Stern	Sandra Stock	Mary Stumpf
Patricia Sumner	Jeffrey Sydlowski	Christine Syfu
MargaretTaylor	Barbaraann Thomas	Karen Thomas
Melanie Thomas	Bret Thornburg	Rosanne Urbanowicz
Jill Vargas	Miriam Vetter	Angelica Vogelsang
Jody Wait	Lori Walter	Jessica Walters
Nanci Wechsler	Donna Weem	Linda Wilkins
Diana Woods	Suzanne Young	Ada Yung Haarer

The Board reviewed the late application of Tara Finney. Following discussion, John Tutelman moved to renew Ms. Finney's license and to issue her a consent agreement for probation. Laura Beckman seconded the motion. The motion passed 4-0.

The Board reviewed the renewal application of Alfredo Guerrero. Following the discussion, Rebecca Grabski moved to approve the license of Mr. Guerrero. Christine Feltman Rosenberg seconded the motion. The motion passed 4-0.

The Board reviewed the license of Michele Laplante. Following the discussion, Rebecca Grabski moved to approve the license of Ms. Laplante and issue a non-disciplinary advisory letter. Christine Feltman Rosenberg seconded the motion. The motion passed 4-0.

The Board reviewed the renewal application of Patrick Lavelle. Following the discussion, John Tutelman moved to approve the license of Mr. Lavelle. Laura Beckman seconded the motion. Motion passed 4-0.

The Board reviewed the renewal application of Stephanie O'Leary. Following the discussion, John Tutelman moved to approve the license of Ms. O'Leary. Laura Beckman seconded the motion. Motion passed 4-0.

The Board reviewed the renewal application of Jeffery Sydlowski. Following the discussion, John Tutelman moved to renew Mr. Sydlowski's license. Laura Beckman seconded the motion. Motion passed 4-0.

The Board reviewed the late application of Angelica Vogelsang. Following the discussion, John Tutelman moved to renew Ms. Vogelsang's license and to issue her a consent agreement for probation. Rebecca Grabski seconded the motion. The motion passed 4-0.

The Board reviewed the late renewal application of Carolee Anglehart. Following the discussion, John Tutelman moved to renew Ms. Anglehart's license and to issue her a consent agreement for probation. Laura Beckman seconded the motion. The motion passed 4-0.

The Board reviewed the renewal application of Eugene Dekhtyar. Following the discussion, Rebecca Grabski moved to renew the license of Mr. Dekhtyar. Laura Beckman seconded the motion. The motion passed 4-0.

Rebecca Grabski moved to approve the remaining 126 applications of the 135 listed. Christine Feltman Rosenberg seconded the motion. The motion passed 4-0.

c. Limited Permits

Heather Ballagh	Brandon Bracy	Kathleen Burt
Christopher Crockett	Robin Hamilton	Jason Jonhson
Randy Lujan	Amanda Meredith	Andrea Sims
Stephanie Wisnowski		

John Tutelman moved to approve the 10 limited permit applicants listed. Rebecca Grabski seconded the motion. The motion passed 4-0.

Review, Discussion and Possible Action on Administrative Matters

- a. Revenue and Expenditure Report

The Board was presented with an update on the revenue picture.

- b. Administrative Project Status Report

The Board reviewed and discussed the Administrative Project Status.

Other Board Business

- a. Proposed state statute revisions, Randy Frost reported to the Board that Senator Barto informed him that there is not enough time to work on our proposed bill at this time. Senator Barto wants to meet in June to discuss our legislation and possibly introduce a bill in the next legislative session.
- b. Disciplinary Matrix, Randy Frost provided a draft of the disciplinary matrix
- c. Nomination and Election of Chair and Vice Chair for 2012, John Tuttleman nominated Rebecca Grabski to serve as Chair for 2012. Ms Grabski declined. Christine Feltman Rosenberg nominated Laura Beckman to serve as the Chair for 2012. John Tutelman seconded the motion. The motion passed 4-0. Laura Beckman made a motion to nominate John Tutelman to serve the Vice-Chair for 2012. Christine Feltman Rosenberg seconded the nomination. Motion passed 4-0
- d. Correspondence received from Steven Kane OTR, The Board discussed the letter from Mr. Kane and determined that they really could not provide advice on the subject matter. The Board directed Staff to contact Mr. Kane and direct him to the proper agency for an answer.

Agenda items for next meeting – if any

The Board requested that Staff provide an update on any current Legislation being tracked.

Call to the Public

There were no public members wishing to address the Board.

Adjournment

There being no further business before the Board the meeting adjourned at 5:01 p.m.

Respectfully submitted,

J. Randy Frost
Executive Director